IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 31700 of 2006(W)

PETITIONER:

K.MATHEW, PROPRIETOR,
M/S.DECAN CABLES INDUSTRIES,
THRIPPALAZHIKAM P.O., KUNDARA.

BY ADV. SRI.P.B.SAHASRANAMAN
SRI.K.JAGADEESH
SRI.T.S.HARIKUMAR

RESPONDENTS:

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1. THE DIRECTOR OF INDUSTRIES AND COMMERCE,
VIKAS BHAVAN, THIRUVANANTHAPURAM.

2. THE GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE,
KOLLAM.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.31700 of 2006

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Dated this the 30th day of November, 2006.

JUDGMENT

The W.P. is filed for direction to first respondent to dispose of the appeal filed by the petitioner against Ext.P6 order issued by the General Manager, District Industries Centre. It is seen from Ext.P6 that the petitioner has put up a fraudulent claim by suppressing facts pertaining to the ownership of the industry itself. One Mr.Mohanan had filed a complaint that the industry was started as a partnership and petitioner's claim that it is a proprietorship business is a fraudulent claim. On enquiry, the General Manager, District Industries Centre found that complaint by Mr.Mohanan was correct. When petitioner filed this W.P., petitioner has not chosen to make the said Mohanan as a party. In the circumstances, W.P. is filed without any bonafides, more so, when the denial of exemption is based on complaint filed by the said person. In the circumstances, W.P. is dismissed.

C.N.RAMACHANDRAN NAIR
Judge

pms